



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, Massachusetts 02114
(617)626-1520
fax (617)626-1509



Date: March 20, 2002

To: All MA Commercial Lobster Permit Holders

This letter updates you on three issues pertaining to state lobster fishery management: (1) trap tag orders and deadlines; (2) implications of the approved Addendum #3 of the interstate plan; and (3) DMF schedule for the public hearings to consider rules to implement the plan,

Trap Tag Orders. We have received many calls about the delay in the annual letter that DMF sends to each commercial lobster fisherman that authorizes them to purchase tags from Stoffel Seals. That authorization letter will be sent out on April 5, after the final rules are approved for 2002. To accommodate fishermen who may not receive their tags in time to install them by May 1, DMF will postpone the deadline to attach tags to traps by one month to June 1 for this year. Fishermen who want to set their traps in May will be allowed to set untagged traps but will be required to attach the new tags by June 1.

Implications of Addendum #3 to the interstate lobster plan. In February, 2002, the Atlantic States Marine Fisheries Commission (ASMFC) approved the area-specific and industry-crafted management plans prepared by the Lobster Conservation Management Teams. These plans are quite variable and collectively they will make the lobster fishery rules more complicated in Massachusetts than in any other state or jurisdiction; this is because our lobster management areas include three different areas in state waters (Area 1, Outer Cape Cod, Area 2), and a fourth area, Area 3, is adjacent to Massachusetts waters and is fished by our offshore fleet.

The plans, if enacted as proposed, would subject fishermen in various parts of the state to different minimum sizes, different definitions of "v-notched" lobster, different trap vent sizes, and effort controls in certain areas. The effort control program proposed for the Outer Cape Cod Area is quite innovative and unprecedented. The plan would issue license-specific trap allocations in the Outer Cape Cod area based on fishermen's year 2000 trap total fished in the Outer Cape Area. Consequently, fishermen without year 2000 history in this area would be prohibited from fishing in this area; their permit and trap tags would not be designated "Outer Cape Cod." Similarly, license-specific history-based trap allocation rules are being drafted for Area 2, but are not ready for consideration by ASMFC or DMF. No effort control programs were drafted by the Area 1 industry advisors. Consequently DMF expects to see an increase in lobster effort in Area 1.

This array of plans would increase the enforcement complexity and burden and certainly add to the administrative workload on DMF's licensing staff. Fishermen should study the proposals and understand their implications. Please comment to DMF either at the public hearing or in writing before March 29. The Commission will vote on the proposals on April 4 and DMF will announce the rules on April 5.

If enacted, the area-specific effort control would require fishermen to drop certain areas from their permit and trap tag order. Other rules such as the different lobster minimum gauge size would not require - but would motivate - fishermen to remove area(s) from their permit because fishermen who have multiple areas on their permits would be held to whatever the most restrictive rules are among the various areas. For example, the minimum size increase for Area 2 would motivate many fishermen who fish Area 1 and Area 2 to drop Area 2. However, the majority of fishermen in Massachusetts only fish Area 1, and they are not expected to seek changes to their permit or trap tag order.

DMF will mail a letter to you on Monday April 8 that lists your chosen Areas, and your trap limit. If changes aren't needed, then you can order your trap tags. If you decide changes are necessary, then put your request in writing and mail it along with your permit to DMF at 251 Causeway Street, Suite 400, Boston, MA 02114.

Public Hearings: Hearings will be held on Monday, March 25, 2002 (7-10 p.m.) at the Forestdale School, Rt.130 in Sandwich; and Tuesday, March 26, 2002 (7-9 p.m.) at the Gloucester Public Library. Written comments (by mail or fax) will be accepted until 5 P.M. on Friday, March 29, 2002.

See the DMF web-site <http://www.state.ma.us/dfwele/dmf/dmfng102.pdf> or the *DMF News* for the complete public hearing notice.

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement
David M. Peter, Commissioner